



WILLIAM T FUJIOKA  
Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

*"To Enrich Lives Through Effective And Caring Service"*

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

July 08, 2014

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

21 July 8, 2014

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**DEPARTMENT OF PUBLIC WORKS:  
JOB ORDER CONTRACTS FOR MAINTENANCE,  
REPAIR, REMODEL, AND REFURBISHMENT OF  
COUNTY INFRASTRUCTURE AND FACILITIES  
AWARD JOB ORDER CONTRACTS  
1401 THROUGH 1408  
(ALL DISTRICTS)  
(3 VOTES)**

**SUBJECT**

This action will award eight separate Job Order Contracts (1401 through 1408) to the apparent Lowest Responsive and Responsible Bidders, and authorize the Director of Public Works, or her designee, to issue work orders. This action will also delegate authority to the Director of Public Works, or her designee, to act on behalf of the Los Angeles County Flood Control District to issue work orders.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find the award of Job Order Contract Nos. 1401 through 1408 exempt from the California Environmental Quality Act for the reasons stated in this letter and in the records pertaining to the Job Order Contracts.
2. Find that Harry H. Joh Construction, the apparent lowest bidder on Job Order Contract No. 1402, did not meet the minimum experience requirements as set forth in the bid documents and is also nonresponsive for failing to complete the required Experience Modification Rate history for the Year 2011 and reject the bid on these grounds.

3. Award two Job Order Contracts, Nos. 1401 and 1402, to Mackone Development, Inc., each for a maximum amount of \$4.3 million, and each to be financed through the appropriate maintenance, repair, and refurbishment projects.
4. Award one Job Order Contract, No. 1403, to Harry H. Joh Construction for a maximum amount of \$4.3 million, to be financed through the appropriate maintenance, repair, and refurbishment projects.
5. Award two Job Order Contracts, Nos. 1404 and 1408, to New Creation Builders, each for a maximum amount of \$4.3 million, and each to be financed through the appropriate maintenance, repair, and refurbishment projects.
6. Award three Job Order Contracts, Nos. 1405, 1406, and 1407, to Angeles Contractor, Inc., each for a maximum amount of \$4.3 million, and each to be financed through the appropriate maintenance, repair, and refurbishment projects.
7. Authorize the Director of Public Works, or her designee, to execute the Job Order Contracts in the form previously approved as to form by County Counsel and establish the effective date following receipt of approved Faithful Performance and Payment for Labor and Materials Bonds filed by Mackone Development, Inc.; Harry H. Joh Construction; New Creation Builders; and Angeles Contractor, Inc.
8. Authorize the Director of Public Works, or her designee, to issue work orders for the maintenance, repair, remodeling, and refurbishment of County facilities and infrastructure to Mackone Development, Inc.; Harry H. Joh Construction; New Creation Builders; and Angeles Contractor, Inc., in the aggregate work order amount not-to-exceed the maximum amount of each Job Order Contract upon receipt of funding authorization from the Chief Executive Office or the appropriate funding source.

**ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

9. Authorize the Director of Public Works, or her designee, to issue work orders for the maintenance, repair, remodeling, and refurbishment of Los Angeles County Flood Control District facilities and infrastructure to Mackone Development, Inc.; Harry H. Joh Construction; New Creation Builders; and Angeles Contractor, Inc., in the aggregate work order amount not-to-exceed the maximum amount of each Job Order Contract upon receipt of funding authorization from the Chief Executive Office or the appropriate funding source.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find award of the Job Order Contracts (JOCs) exempt from the California Environmental Quality Act (CEQA), award eight separate JOCs to the apparent Lowest Responsive and Responsible Bidders as set forth below, and augment Department of Public Works' (Public Works) ability to effectively and efficiently maintain, repair, remodel, and refurbish County and Flood Control District infrastructure and facilities.

JOC is a flexible, cost-effective unit price contracting method used by Public Works for the maintenance, repair, remodeling, and refurbishment of County and Flood Control District facilities and infrastructure without extensive plans and specifications. The State Public Contract Code provides that JOCs are contracts of a single-year duration. Public Works will implement the

Board-approved Local Worker JOC Program based on project location in accordance with the intent of the program. As required by State Public Contract Code 20128.5, the proposed JOCs will be used for maintenance, repair, remodeling, and refurbishment or other repetitive work, but will not be used for new construction.

In order to have adequate JOC capacity available on a continuous basis, the aggregate requested amount of JOC authority is \$34.4 million (eight JOCs), which includes two JOCs for the Harbor-UCLA Oil Electrical Fill-Switch Replacement Project, and six JOCs for other capital and infrastructure projects. This capacity is based on the anticipated need for maintenance, repair, remodeling, and refurbishment projects for other County General and Special Fund departments.

This relatively simple and straightforward JOC process reduces administrative requirements and lowers direct construction costs for maintenance, repair, remodeling, and refurbishments while meeting Federal, State, and County procurement requirements. The JOCs were publicly advertised for bids and will be awarded to the apparent Lowest Responsive and Responsible bidders in accordance with the State Public Contract Code (see the Facts and Provisions/Legal Requirements and Contracting Process sections for details and definitions).

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1), Fiscal Sustainability (Goal 2), and Integrated Services Delivery (Goal 3), by increasing the County's ability to manage workload fluctuations in a responsive manner and provide responsive, efficient, and high-quality public service while sustaining essential County services through proactive and prudent fiscal policies and stewardship.

### **FISCAL IMPACT/FINANCING**

Maintenance, repair, remodeling, and refurbishment work will be financed through the appropriate capital, refurbishment, infrastructure, or various operating and special fund(s). For capital projects and refurbishments, no work will be assigned to these JOCs without the prior review and funding verification from the Chief Executive Office (CEO) and the approval of the project scope and budget by the Board. For Public Works' infrastructure and maintenance projects, no work will be assigned to these JOCs without the appropriate funding authorization.

Public Works will work with the CEO to quantify any administrative costs attributable to the Local Worker JOC Program and present any necessary recommendations for budget adjustments to the Board for approval.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contracts will be in the form previously reviewed and approved as to form by County Counsel. The proposed contracts, JOC Nos. 1401 through 1408, have been solicited on an open-competitive basis and in accordance with applicable Federal, State, and County requirements. The contractors will be in compliance with the CEO's and the Board's requirements.

Award of the contracts will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations.

The contracts will contain terms and conditions supporting the Board's ordinances, policies, and programs, including, but not limited to: County's Greater Avenues for Independence (GAIN) and

General Relief Opportunities for Work (GROW) Programs, Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; Defaulted Property Tax Reduction Program, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Data regarding the bidders' minority participation will be on file with Public Works. The contractors will be selected upon final analysis and consideration without regard to race, creed, color, or gender.

The General Conditions, Specifications, and Unit Price Book include the contractual provisions, methods, and material requirements necessary for these contracts and are on file with Public Works.

The State Public Contract Code requires the County to award construction contracts to the apparent Lowest Responsive and Responsible Bidder, which is defined as the firm that: 1) submits the lowest-priced bid; 2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and 3) is determined by the County to be a responsible bidder by demonstrating the attributes of trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the work required under the bid solicitation.

To ensure that the contracts are awarded to the apparent Lowest Responsive and Responsible Bidder with a satisfactory history of performance, bidders will be required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractors' State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractors was considered before making a recommendation to award.

#### Local Worker JOC Program

The Local Worker JOC Program requires Contractors to make a good faith effort to employ qualified local residents to perform at least 40 percent of the total construction labor hours. Monitoring of the Local Worker JOC Program will be provided by Public Works' contract administration staff based on review of the JOC work site and individual labor hours in the local area to determine a percentage of Local Worker JOC Program hours worked on each of the specific work orders. The contractors will provide certified payroll records for labor forces. These records will be monitored by work order, hours worked, and zip code of the workers to establish the percentage of Local Worker JOC Program hours to be reported to the Board on a quarterly basis.

#### **ENVIRONMENTAL DOCUMENTATION**

Award of the JOCs is exempt from CEQA because it can be seen with certainty that there is no possibility that approval of the actions may have a significant impact on the environment pursuant to Section 15061(b) (3) of the CEQA Guidelines. This proposed action is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The Board's approval of the award of the JOCs does not include approval of the work done pursuant to the specific contracts. The implementation of each work order under these JOCs

will be subject to prior determination and documentation by Public Works that the work is exempt from CEQA. In the event the work is not exempt, the Board will be requested to approve the appropriate environmental finding and any applicable documentation pursuant to CEQA prior to implementation of work orders under the contracts.

## **CONTRACTING PROCESS**

On March 27, 2014, using the JOC Unit Price Book and Specifications adopted by the Board on March 5, 2013, Public Works issued and advertised a Notice Inviting Bids for eight JOCs (Nos. 1401 through 1408) as listed in Attachment A. As requested by the Board on February 3, 1998, the invitation for bids were listed on the "Doing Business with Us" website and were posted on the "Public Works Contract Opportunities" website. A copy of the website posting is included as Attachment C for your reference.

Bids were due on May 1, 2014. Bidders were required to submit a set of cost adjustment factors that would be applied to the unit prices for work in the JOC Unit Price Book. Bids were determined by calculating a composite factor using a predetermined advertised formula.

Public Works received and publicly opened 58 bids on the solicitation for the advertised eight JOCs. One bidder requested to withdraw six of its bids and another bidder requested to withdraw five of its bids, due to clerical errors. These requests were approved by Public Works (see Attachment A for details).

Harry H. Joh Construction, the apparent lowest bidder on Job Order Contract No. 1402, did not meet the minimum experience requirements as set forth in the Bid Submittal Form, Special Qualifications and Requirements, Article 1 (OSHPD Experience) and Article 2 (Renovations and Seismic Experience), and also failed to complete the required Experience Modification Rate history for the Year 2011. Public Works provided Harry H. Joh Construction notice and an opportunity to be heard on the issue of the qualification. However, the bidder agreed with Public Works' proposed recommended action, as set forth above.

The apparent Lowest Responsive and Responsible Bidders listed in Attachment A were deemed the apparent Lowest Responsive and Responsible Bidders meeting the criteria adopted by the Board with regard to the respective JOC agreements identified herein. The JOC Unit Price Book and contractors' adjustment factors will be incorporated in the awarded JOCs.

To ensure the contracts are awarded to responsible contractors with a satisfactory performance history, bidders were required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported by the apparent Lowest Responsive and Responsible Bidders listed in Attachment B was considered before making this recommendation to award the JOCs.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contracts as these contracts are for non-Proposition A services.

Participation by Community Business Enterprises (CBE) in the Project is encouraged through Public Works' Capital Projects CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

The contractors will be in compliance with the CEO's and the Board's requirements.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The use of these JOCs will expedite the completion of maintenance, repair, remodeling, and refurbishment of County and Flood Control District facilities and infrastructure work managed by Public Works. Minor impacts to tenant departments may occur while maintenance, repair, remodeling, and refurbishment work on such facilities and infrastructure is underway.

**CONCLUSION**

Please return one adopted copy of this Board letter to the Chief Executive Office, Facilities and Asset Management Division, and the Department of Public Works, Architectural Engineering Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'WTF', followed by a stylized flourish and a horizontal line.

WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:SHK:DJT  
SW:RB:rp

Enclosures

c: Executive Office, Board of Supervisors  
County Counsel  
Public Works

## General and Special Construction JOCs (Attachment A)

JOC	Low Bidder Ranking	CONTRACTOR	Non- Selected Bids		Notes
			A	B	
1401	1	New Creation Builders	X		
	2	Harry H. Joh	X		
	3	Mackone			Recommend award of contract
1402	1	New Creation Builders	X		
	2	Harry H. Joh		X	
	3	Mackone			Recommend award of contract
1403	1	New Creation Builders	X		
	2	Harry H. Joh			Recommend award of contract
1404	1	New Creation Builders			Recommend award of contract
1405	1	New Creation Builders	X		
	2	Harry H. Joh	X		
	3	Angeles			Recommend award of contract
1406	1	New Creation Builders	X		
	2	Harry H. Joh	X		
	3	Angeles			Recommend award of contract
1407	1	New Creation Builders	X		
	2	Harry H. Joh	X		
	3	Angeles			Recommend award of contract
1408	1	New Creation Builders			Recommend award of contract
	2	Harry H. Joh	X		

### Non-Selected Bids

A) Requested to be withdrawn by the bidder due to clerical error, which requests were approved by Public Works.

B) Failed to meet the minimum special qualifications and requirements on hospital projects.

July 8, 2014

**Attachment B**

**DEPARTMENT OF PUBLIC WORKS:  
JOB ORDER CONTRACTS FOR MAINTENANCE,  
REPAIR, REMODEL, AND REFURBISHMENT OF  
COUNTY INFRASTRUCTURE AND FACILITIES  
AWARD JOB ORDER CONTRACTS  
1401 THROUGH 1408  
SPECIFICATIONS VARIOUS**

**Bid Opening Date:** May 1, 2014

**Bid Summary:** JOC No. 1401

<u>Bidder</u>	<u>Total Composite Factor</u>
1. New Creation Builders <sup>A</sup>	0.6225
2. Harry H. Joh Construction <sup>A</sup>	0.6759
3. Mackone Development, Inc.	0.8200
4. Access Pacific, Inc.	0.8584
5. MTM Construction, Inc.	0.8950

**Bid Summary:** JOC No. 1402

<u>Bidder</u>	<u>Total Composite Factor</u>
1. New Creation Builders <sup>A</sup>	0.6200
2. Harry H. Joh Construction <sup>B</sup>	0.6759
3. Mackone Development, Inc.	0.8200
4. Access Pacific, Inc.	0.8584
5. MTM Construction, Inc.	0.8950

**Non-Selected Bids:**

A) Requested to be withdrawn by the bidder due to clerical error, which requests were approved by Public Works.

B) Failed to meet the minimum special qualifications and requirements on hospital projects.



**Bid Opening Date:** May 1, 2014

**Bid Summary:** JOC No. 1403

<u>Bidder</u>	<u>Total Composite Factor</u>
1. New Creation Builders <sup>A</sup>	0.4700
2. Harry H. Joh Construction	0.6459
3. Angeles Contractor, Inc.	0.6650
4. MTM Construction, Inc.	0.6800
5. World Wide Construction	0.7234
6. Minco Construction	0.7650
7. Access Pacific, Inc.	0.7759
8. Mackone Development, Inc.	0.8200

**Bid Summary:** JOC No. 1404

<u>Bidder</u>	<u>Total Composite Factor</u>
1. New Creation Builders	0.5275
2. Harry H. Joh Construction	0.6459
3. MTM Construction, Inc.	0.6800
4. Angeles Contractor, Inc.	0.6950
5. Access Pacific, Inc.	0.7584
6. Minco Construction	0.7650
7. World Wide Construction	0.8184
8. Mackone Development, Inc.	0.8200

**Non-Selected Bids:**

A) Requested to be withdrawn by the bidder due to clerical error, which requests were approved by Public Works.

**Bid Opening Date:** May 1, 2014

**Bid Summary:** JOC No. 1405

<u>Bidder</u>	<u>Total Composite Factor</u>
1. New Creation Builders <sup>A</sup>	0.4900
2. Harry H. Joh Construction <sup>A</sup>	0.4959
3. Angeles Contractor, Inc.	0.6850
4. MTM Construction, Inc.	0.7550
5. Access Pacific, Inc.	0.7584
6. Minco Construction	0.7650
7. Mackone Development, Inc.	0.8200
8. World Wide Construction	0.9134

**Bid Summary:** JOC No. 1406

<u>Bidder</u>	<u>Total Composite Factor</u>
1. New Creation Builders <sup>A</sup>	0.4625
2. Harry H. Joh Construction <sup>A</sup>	0.4959
3. Angeles Contractor, Inc.	0.6825
4. Access Pacific, Inc.	0.7384
5. MTM Construction, Inc.	0.7550
6. Minco Construction	0.7650
7. Mackone Development, Inc.	0.8200
8. World Wide Construction	1.0734

**Non-Selected Bids:**

A) Requested to be withdrawn by the bidder due to clerical error, which requests were approved by Public Works.

**Bid Opening Date:** May 1, 2014

**Bid Summary:** JOC No. 1407

<u>Bidder</u>	<u>Total Composite Factor</u>
1. New Creation Builders <sup>A</sup>	0.4825
2. Harry H. Joh Construction <sup>A</sup>	0.5959
3. Angeles Contractor, Inc.	0.6750
4. MTM Construction, Inc.	0.7025
5. Access Pacific, Inc.	0.7384
6. Minco Construction	0.7650
7. Mackone Development, Inc.	0.8200
8. World Wide Construction	1.0034

**Bid Summary:** JOC No. 1408

<u>Bidder</u>	<u>Total Composite Factor</u>
1. New Creation Builders	0.5825
2. Harry H. Joh Construction <sup>A</sup>	0.5959
3. Angeles Contractor, Inc.	0.6825
4. MTM Construction, Inc.	0.7025
5. World Wide Construction	0.7234
6. Access Pacific, Inc.	0.7434
7. Minco Construction	0.7650
8. Mackone Development, Inc.	0.8200

**Non-Selected Bids:**

A) Requested to be withdrawn by the bidder due to clerical error, which requests were approved by Public Works.

**Bid Detail Information****Bid Number :** AED7739907**Bid Title :** Job Order Contract 1401 through 1408**Bid Type :** Construction**Department :** Public Works**Commodity :** CONSTRUCTION SERVICE, GENERAL (DIGGING, DITCHING, ROAD GRADING, ROCK STABILIZATION, ETC.)**Open Date :** 3/27/2014**Closing Date :** 4/24/2014 1:45 PM**Bid Amount :** \$ 4,300,000.00**Bid Download :** Not Available

**Bid Description :** The work consists of a broad array of maintenance, repair, remodel and refurbishment of County infrastructure and facilities projects under the direction of Public Works. Public Works will hold a mandatory prebid conference for all JOC bids at 1:00 p.m., April 10, 2014, at 900 South Fremont Avenue, Conference Room A, Alhambra, California 91803, to provide information on the JOC, bidding process, and answer any questions that potential bidders may have. To be considered responsive to this invitation for bid, bidders must attend the mandatory prebid conference. Bids from bidders who do not attend the prebid conference will be rejected as nonresponsive. It is strongly recommended that the prebid conference be attended by a principal of the company or a person authorized to make decisions for the company. The maximum dollar value of each contract is \$4,300,000. JOC Specification Packets and Bid Forms may be downloaded for free from the Los Angeles County Public Works website, or are available for purchase at the Cashiers Office of Public Works. Individual bid sets are \$15, or \$100 for all 8 sets. For further directions, please contact Mr. Mark Martinez with Architectural Engineering Division at (626) 458-2540.

[Click here to download documents](#)

**Contact Name :** Mark Martinez**Contact Phone# :** (626) 458-2540**Contact Email :** [mamartinez@dpw.lacounty.gov](mailto:mamartinez@dpw.lacounty.gov)**Last Changed On :** 3/27/2014 5:15:14 PM

---

[Back to Last Window](#)